

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

In re:	§	Chapter 11
	§	
	§	Case No. 20-43597-399
BRIGGS & STRATTON,	§	
CORPORATION, <i>et al.</i> ,	§	(Jointly Administered)
	§	
Debtors.	§	Re: Docket No. 1510

**AGREED ORDER GRANTING RELIEF FROM STAY BY CONSENT
PURSUANT TO 11 U.S.C. § 362(d) AND LOCAL RULES 9013-1F AND 9026(15)**

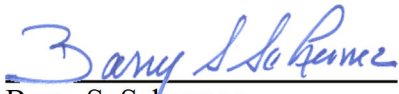
Upon the consent motion (the “**Motion**”) of the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”), for entry of an order, pursuant to section 362(d) of the title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 9013-1(F) of the Local Rules of Bankruptcy Procedure for the Eastern District of Missouri (the “**Local Rules**”), granting Laura Smyser (“**Smyser**”) relief from the automatic stay imposed pursuant to section 362 of the Bankruptcy Code in order to permit Smyser to dismiss with prejudice the case captioned as *Laura Smyser v. MTD Products Company, et al.*, Case No. 1:19-CV-482-HAB (the “**Smyser Action**”) pending in the United States District Court for the Northern District of Indiana, Fort Wayne Division (the “**District Court**”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Rule 81.901(B)(1) of the Local Rules; and this Court having authority to enter a final order consistent with Article III of the United States Constitution; and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors’ notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for

the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, **IT IS HEREBY ORDERED THAT:**

1. The Motion is granted as set forth herein.
2. Notwithstanding any provision in the Bankruptcy Rules to the contrary: (a) this Order shall be immediately effective and enforceable upon its entry; (b) the Debtors are not subject to any stay in the implementation, enforcement, or realization of the relief granted in this Order and Bankruptcy Rule 4001(a)(3) shall not apply; and (c) the Automatic Stay pursuant to 11 U.S.C. § 362(a) is hereby lifted so that the District Court may dismiss the Smyser Action with prejudice.
3. Proof of Claim No. 2139 asserted by Smyser against B&S hereby is deemed withdrawn.
4. The Debtors shall serve a copy of this Order no later than two (2) business days after the date of its entry. The Debtors shall also file a certificate of service within twenty-four (24) hours of making service of this Order.

DATED: December 23, 2020
St. Louis, Missouri

cke


Barry S. Schermer
United States Bankruptcy Judge

So Consented:

By: /s/ Albert J. Dahm
Date: December 23, 2020

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By: /s/ Robert E. Eggmann
Date: December 23, 2020

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- and -

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By: /s/ Heather T. Gilbert
Date: December 23, 2020

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By: /s/ Richard T. Coyne
Date: December 23, 2020

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